REMARKS

Entry of the foregoing proposed amendment and the following remarks are respectfully requested. By this proposed amendment, claims 1, 4, 5, 8-10, 24 and 27-31 remain pending, claims 21-23 and 25 having been withdrawn from consideration, and claims 3 and 26 having been newly canceled without prejudice or disclaimer.

Applicants propose amending claim 1 to include the features of claim 3, amending claim 8 to be in independent form and amending claim 24 to include the features of claim 26. Applicants further propose amending claim 28, a system claim, to depend from claim 24 instead of claim 1, a method claim. Additional claim amendments are proposed to improve presentation and do not affect the scope of the claims.

Rejection of Claims 1, 3-5, 8-10, 24, 26-31

On page 4 of the Final Office Action of July 1, 2005, the Examiner rejected claims 1, 3-5, 8-10 and 24 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,327,343 to Epstein et al. ("Epstein") in view of U.S. Patent No. 5,797,124 to Walsh et al. ("Walsh"). Because the following pages of the Final Office Action discuss the rejection of claims 26-31, Applicants assume that the Examiner also rejected claims 26-31 as allegedly being unpatentable over Epstein in view of Walsh. Applicants traverse the rejection with respect to claims 3, 8, 26 and 29. Applicants propose amending claim 1 to include the features of claim 3 and propose amending claim 24 to include the features of claim 26.

Proposed amended claim 1 is directed to a method for indexing voice mail messages. The method includes, among other things, when an identity of a caller of a voice mail message cannot be determined, using the identity provided by a voice mail subscriber to create a storage folder for a specific speaker of the voice mail message.

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On page 5 of the Final Office Action, the Examiner alleged that <u>Epstein</u>, at col. 7,

lines 30-35 and col. 8, lines 7-21, discloses or suggests that the speaker identity provided by

the voice mail subscriber is used to create a storage folder for the specific speaker of the

voice mail message. Applicants respectfully disagree.

<u>Epstein</u>, at col. 7, lines 28-35, discloses:

> If, on the other hand, the speaker (e.g., a first time caller) cannot be identified
> via the previously stored voice models, speaker identification may be
> performed by both the speaker recognizer module 22 and the ASR/NLU
> module 26, whereby the content of the telephone message may be processed
> by the ASR/NLU module 26 to extract the caller's name which is then
> compared with previously stored names to determine the identity of such
> caller (step 140).

Thus, <u>Epstein</u> discloses that when a speaker cannot be identified by using previously

stored voice models, the content of the telephone message may be processed using speech

recognition techniques to extract a caller's name, which is then compared to previously

stored names.

<u>Epstein</u>, at col. 8, lines 7-21, discloses:

> It is to be appreciated that the system 10 may perform speaker identification
> by utilizing methods other than acoustic features when the requisite voice
> models do not exist. For example, with regard to telephone calls, the system
> 10 may utilize additional information (e.g. caller ID) to enhance the accuracy
> of the system 10 and/or to identify first time callers.
>
> As further explained below, the system 10 may be programmed to store the
> name and originating telephone number of every caller (or specified callers).
> Such capability allows the user to automatically send reply messages to
> callers, as well as dynamically create an address book (which is stored in the
> system 10) which can be subsequently accessed by the user to send a message
> to a particular person.

Thus, <u>Epstein</u> discloses that caller ID may be used to enhance the system's ability to

accurately identify callers. The system may be programmed to store the name and

originating phone number of callers, which may be used to create an address book such that a

user can send a message to a particular person.

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Applicants submit that storing the name and originating phone number of callers such that a user may later send a message to the caller is not equivalent to creating a storage folder for a specific speaker of the voice mail message. Applicants assume that the Examiner's reasoning may be that if the user can send a message to the caller, then the caller must have a storage folder. However, Applicants submit that even if the caller has a storage folder, Epstein does not disclose using the identity provided by the voice mail subscriber to create a storage folder for a specific speaker of the voice mail message, as required by proposed amended claim 1. Applicants submit that the caller may be a subscriber on a completely different voice mail system and therefore, may already have a storage folder. In such a case, the storage folder already exists and is not created by using the identity provided by the voice mail subscriber.

Applicants further submit that Walsh fails to satisfy the deficiencies of Epstein. Therefore, Applicants submit that neither Epstein nor Walsh, disclose or suggest, either separately or in any combination, that when an identity of a caller of a voice mail message cannot be determined, using the identity provided by a voice mail subscriber to create a storage folder for a specific speaker of the voice mail message, as required by claim 1. Applicants, therefore, respectfully request that the rejection of claim 1 be withdrawn.

Claims 4, 5, 9 and 10 depend from proposed amended claim 1 and are patentable for at least the reasons discussed above with respect to claim 1. Therefore, Applicants respectfully request that the rejection of claims 4, 5, 9 and 10 be withdrawn.

Proposed amended independent claim 8, is directed to a method for indexing voice mail messages. The method includes, among other things, when an identity of a caller of a voice mail message cannot be determined, receiving an identity of the caller from a voice mail subscriber, wherein the voice mail message tagged as unknown is used to adapt a previously created speaker model.

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On page 6 of the Final Office Action, the Examiner alleged that <u>Epstein</u>, at col. 8,

lines 1-14, discloses or suggests that when an identity of a caller of a voice mail message

cannot be determined, receiving an identity of the caller from a voice mail subscriber,

wherein the voice mail message tagged as unknown is used to adapt a previously created

speaker model. Applicants respectfully disagree.

<u>Epstein</u>, at col. 8, lines 1-14, discloses:

It is to be appreciated that whenever a new caller interacts with the system 10
for the first time, speaker models are built and stored in the speaker recognizer
module 22, unless erased at the option of the user. Such models are then
utilized by the speaker recognizer module 22 for identification and
verification purposes when that caller interacts with the system 10 at a
subsequent time.

It is to be appreciated that the system 10 may perform speaker identification
by utilizing methods other than acoustic features when the requisite voice
models do not exist. For example, with regard to telephone calls, the system
10 may utilize additional information (e.g. caller ID) to enhance the accuracy
of the system 10 and/or to identify first time callers.

Thus, <u>Epstein</u> discloses that speaker models are built and stored when a caller

interacts with the system for the first time. That is, <u>Epstein</u> discloses building new speaker

models for first-time callers. <u>Epstein</u> is completely silent regarding using a voice mail

message that is tagged as unknown to adapt a <u>previously</u> created speaker model.

<u>Walsh</u> fails to satisfy the deficiencies of <u>Epstein</u>. Therefore, neither <u>Epstein</u> nor

<u>Walsh</u> disclose or suggest, either separately or in combination, that when an identity of a

caller of a voice mail message cannot be determined, receiving an identity of the caller from

a voice mail subscriber, wherein the voice mail message tagged as unknown is used to adapt

a previously created speaker model, as required by claim 8. Applicants, therefore,

respectfully request that the rejection of claim 8 be withdrawn.

Proposed amended claim 24 recites features similar to those of claim 1 and is

patentable over <u>Epstein</u> and <u>Walsh</u> for at least reasons similar to those discussed with respect

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to claim 1. Applicants therefore, respectfully request that the rejection of claim 24 be withdrawn.

Claims 27-31 depend from claim 24 and are patentable over Epstein in view of Walsh for at least the reasons discussed with respect to claim 24. Applicants therefore, respectfully request that the rejection of claims 27-31 be withdrawn.

Applicants further submit that claim 29 is patentable over Epstein and Walsh for other reasons. For example, claim 29 recites features similar to those of claim 8 and is patentable over Epstein and Walsh for reasons similar to those discussed with respect to claim 8.

Applicants propose canceling claims 3 and 26 without prejudice or disclaimer, which would thereby render the rejection of these claims moot. Therefore, Applicants respectfully request that the rejection of claims 3 and 26 be withdrawn.

CONCLUSION

Having addressed all rejections, Applicants respectfully submit that the proposed amendment would place the subject application in condition for allowance. Therefore, Applicants respectfully request entry of the proposed amendment and allowance of the remaining claims. A Notice to that effect is earnestly solicited.

Respectfully submitted,

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